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C O N F I D E N T I A L SECTION 01 OF 03 BANGKOK 003366

SIPDIS

STATE FOR EAP MARCIEL AND MLS, NSC FOR PHU

E.O. 12958: DECL: 11/13/2018

TAGS: [PREL](#) [PGOV](#) [TH](#)

SUBJECT: AMBASSADOR RAISES UNGA RESOLUTIONS, THAI-CAMBODIA,  
AND ASEAN WITH MFA PERMSEC VIRASAKDI

REF: STATE 117889

Classified By: Ambassador Eric G. John, reason 1.4 (b,d)

¶1. (C) Summary. Ambassador advocated passage of UNGA Third Committee resolutions on Iran, Burma, and North Korea and rejection of no-action motions with MFA Permanent Secretary Virasakdi Futrakul November 10. PermSec Virasakdi reiterated the long-standing Thai position to abstain on all country-specific human rights resolutions, but he pledged to consider the U.S. request to abstain from or be absent during the no-action motions. On Thai-Cambodia relations, Virasakdi previewed Joint Border Committee meetings and reiterated Thai concerns about the alleged Cambodian use of landmines on the border which had precipitated mid-October skirmishes. Ambassador underscored U.S. support for the border dispute to be resolved bilaterally through diplomatic negotiations. Virasakdi provided an update on Thai preparations for the series of ASEAN summits in mid-December and confirmed that the Thai would invite U.S. Ambassador for ASEAN Affairs, EAP DAS Scot Marciel, to attend the open events associated with the ASEAN meetings. End Summary.

UNGA resolutions on Iran, Burma, North Korea  
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¶2. (C) Drawing from reftel instructions, Ambassador stressed U.S. interest in the passage of upcoming country resolutions on Iran, Burma, and North Korea in the UNGA's Third Committee, and our concerns about no-motion actions designed to cut off serious debate entirely. The U.S. considered no-action motions counterproductive, undermining the purpose of the Third Committee. In light of Thailand's track record of supporting no-action motions, Ambassador asked PermSec Virasakdi to abstain or at least consider being absent during expected no-action motions raised by Iran and Burma.

¶3. (C) PermSec Virasakdi said that Thailand would consider the U.S. request on abstaining from or being absent during the no-action motions; he said that he would consult with the Thai mission in New York. (Note: Thailand traditionally has voted yes on all no-action motions).

¶4. (C) On the country resolutions, Virasakdi reiterated the long-standing Thai position, which he said dated to 2000, when Thailand was on the Human Rights Council and he served as the Thai PermRep in Geneva: Thailand abstained on all such resolutions. As a matter of principle, Thailand did not consider that country-specific resolutions advanced the human rights situation in the affected countries, because the

resolutions themselves became overly politicized, with the focus on building coalitions in the relevant international body, not addressing the actual conditions. Thailand also did not feel comfortable being lobbied heavily by both sides, Virasakdi acknowledged. To avoid this diplomatic pressure, it therefore abstained on all country-specific resolutions; however, Thailand did support resolutions by issue, such as the rights of children, or the situation for women, since the approach was more advisory than judgmental.

Thai-Cambodia: negotiations resume

15. (C) Virasakdi noted that the Thai-Cambodian Joint Border Committee had resumed its meeting earlier on November 10. The November 10-11 session would focus on the legal documents to be used as the basis for discussions going forward; he predicted there would inevitably be some disagreements. The Thai maintained that the basis for discussion should be the 1904 Franco-Siam Treaty, which enshrined watersheds as the principle to define the border. The Cambodians insisted on using a 1907 French map which did not correspond to the Treaty or known watersheds, he stated.

16. (C) The talks would take a long time, Virasakdi stressed. Cambodia threatened to involve third parties -- the UNSC, or the International Court of Justice -- if progress was not quick enough. Ambassador reiterated the U.S. view that the Thai-Cambodia dispute was best resolved bilaterally, not by the UNSC.

17. (C) Virasakdi said that Thailand was prepared to defend

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its interests in such bodies but had warned the Cambodians that such moves would have negative consequences. Thai public opinion would become embittered towards Cambodia, and the Thai government would not be willing to cooperate on any Joint Development Area projects in the Gulf of Thailand, which he suggested offered the potential of "hundreds of millions of dollars" of benefits to both sides. Cambodia would have to decide which was more important: "a parking lot near Preah Vihear in the disputed 4.6 square km area," or such greater economic cooperation.

18. (C) In the November 12 meeting of Foreign Ministers, the Thai expected the Cambodians to raise two additional temples elsewhere along the border; for their part, the Thai would raise a series of small border casinos the Cambodians had built in disputed territory which the Thai maintained violated the terms of the 2000 MOU (note: we will report on the FM meeting septel).

19. (C) Virasakdi reiterated the Thai view of how the mid-October border skirmish developed. He suggested that Hun Sen had been "misinformed" about a Thai personnel shift change, and had been told instead that 300 Thai troops had "invaded." The Thai explanation was that 20 deminers had been working inside Thai territory, supported by 60 unarmed paramilitaries, to clear the area of mines after two Thai soldiers had lost their legs in landmine explosions the previous week. Thai deminers had found four freshly planted mines, disarmed/dug up two, and left flags to mark the remaining two; one was linked to a 60mm artillery shell, clearly designed to cause additional damage. The Thai delegation found the foot of one of the Thai amputee victims seven meters high in a tree, Virasakdi alleged. When the Thai returned the day of the skirmish, they discovered that Cambodian forces had removed the mines in the meantime. Virasakdi claimed the mines were of a type that Cambodia had declared under the Ottawa Convention; they initially had 3500, and had retained 200 for 'training purposes' for the Cambodia Mine Action Center.

ASEAN - Summit and Charter

10. (SBU) Noting he had just returned from the ASEAN Senior

Officials Meeting (SOM) in Pattaya to discuss the ASEAN Summit, Virasakdi confirmed that Thai PM Somchai had approved inviting Ambassadors for ASEAN Affairs from dialogue countries, including EAP DAS Scot Marciel. The dialogue partner Ambassadors would be invited to attend the three-four open functions on the program, including the opening and Global Forum planned for December 18. Other attendees at the SOM had pushed to shorten the summit program planned for Chiang Mai in order to finish the ASEAN-UN summit on December 17. This would allow heads of government to depart Thailand after the expected group audience with King Bhumibol in Bangkok, rather than returning to Chiang Mai.

11. (SBU) Thai ratification of the ASEAN Charter awaited the King's signature on the implementing legislation already passed, as well as publication in the Royal Gazette, Virasakdi said. He had talked to deputy Principal Private Secretary Krit about expediting signature/publication by November 15 to allow the Charter to come into force at the Summit, that might not occur, Virasakdi acknowledged. Thai parliamentary approval would be necessary for six or seven of the 25 outcome documents for the various ASEAN meetings in Chiang Mai; the Thai government would hold an extraordinary session of the Thai parliament at the end of November to seek approval to sign the documents.

12. (SBU) Australia had proposed an East Asian Summit (EAS) Joint Statement on the Global Financial Crisis, Virasakdi noted, but China had some procedural objections remaining. ASEAN 3 (China, Japan, South Korea) had agreed on its own statement on financial cooperation building on the Chiang Mai Initiative Fund; Thailand was hopeful the broader EAS cooperation statement would also materialize. The Pattaya SOM had adopted a draft statement on Disaster Management Cooperation, he added.

13. (C) Ambassador asked about the possible impact on the

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ASEAN summit if the Constitution Court ordered the dissolution of the ruling People's Power Party (PPP) prior to mid-December. Citing the example of the Philippines having postponed the ASEAN summit meetings several years ago at the last moment when a typhoon struck, Virasakdi replied that if the Thai government were not in a position to host the summit, the meetings would have to be postponed.  
JOHN